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NOTICE OF ALLOWANCE AND FEE(S) DUE

79230

7590

06/02/2009

Law Office of Jim Boice
3839 Bee Cave Road
Suite 201
West Lake Hills, TX 78746

EXAMINER

SHRESTHA, BLENDR K

ART UNIT

PAPER NUMBER

3691

DATE MAILED: 06/02/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,662	03/25/2004	Mary Ellen Silka	EN09 20030154US1	7813

TITLE OF INVENTION: AUTOMATIC BILLING EVENT SUBMISSION RECONCILIATION FOR ON DEMAND SYSTEMS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	09/02/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

79230 7590 06/02/2009
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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/809,662	03/25/2004	Mary Ellen Sileka	ENTD920030154US1	7813
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TITLE OF INVENTION: AUTOMATIC BILLING EVENT SUBMISSION RECONCILIATION FOR ON DEMAND SYSTEMS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	09/02/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHRESTHA, BIJENDRA K	3691	705-040000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
 Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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03/25/2004

Mary Ellen Siksa

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SHRESTHA, BIJENDRA K

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West Lake Hills, TX 78746

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 861 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 861 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/809,662

Applicant(s)

SIKSA, MARY ELLEN

Examiner

BIJENDRA K. SHRESTHA

Art Unit

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/05/2009.
2. ☒ The allowed claim(s) is/are 1-4,6,7,10,11,13,14,16,20-25 and 30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Hani M. Kazimi/
Primary Examiner, Art Unit 3691

EXAMINER STATEMENT

1. This action is responsive to the amendment filed on 05/06/2009. Of the original claims 1-2, 6-7, 10-11, 14, 16, 20-21, 25 and 30 have been amended and claims 5, 8-9, 12, 15, 17-19 and 26-29 have been canceled by applicant's amendment. Therefore, claims 1-4, 6-7, 10-11, 13-14, 16, 20-25 and 30 are under consideration for prosecution of this application.

Summary of this Office Action

2. Applicants' arguments filed on 05/06/2009 have been fully considered and deemed to be persuasive. Therefore, claims 1-4, 6-7, 10-11, 13-14, 16, 20-25 and 30 are deemed to be allowable over the prior art of record, and applicants' request for allowance is respectfully granted.

1. (currently amended) *A computer-implemented method of reconciling records of resource consumption at a plurality of resource consumption sites, the computer-implemented method comprising:*

programming a specific processor with computer-executable instructions that, when executed, perform the steps of:

a. collecting and recording resource consumption at multiple resource consumption sites, wherein the resource consumption is a consumption of electricity that is transmitted through resource consumption feeders that serve

multiple types of electricity generation companies, and wherein the electricity generation companies supply electricity to the resource consumption sites;

~~*b. reconciling records of resource consumption between the resource consumption sites and multiple electricity generation companies by:*~~

[[i.]] b. retrieving records from the resource consumption sites and interim control points on the resource consumption feeders, wherein the resource consumption feeders are electric power lines coming from the multiple electricity generation companies;

[[ii.]] c. comparing a [[first]] total number of resource consumption records forwarded from the resource consumption feeders with a [[second]] total number of resource consumption records aggregated at the resource consumption sites;

~~*[[iii.]] d. issuing a notification, if an error is discovered during at least one of the comparing steps*~~ *the comparing step; [[and]]*

~~*[[iv.]] e. if no errors are detected during at least one of the comparing steps*~~ *the comparing step, continuing comparing records until all records are reconciled; [[and]]*

[[c.]] f. aggregating the records of resource consumption into aggregate business records of the resource consumption at the resource consumption sites; and

g. automatically reconciling resource consumption records at feeder sub systems, nodes, interim nodes and billing subsystems that are located between the resource consumption feeders and the resource consumption sites.

2. (currently amended) *The computer-implemented method of claim 1, wherein the records from the resource consumption sites and the interim control points comprise an audit scope identifier, wherein the audit scope identifier describes a time and date of a next scheduled reconciliation of the ~~records~~ of resource consumption records at the resource consumption feeders and the resource consumption sites.*

3. (previously presented) *The computer-implemented method of claim 1, wherein the electricity generating companies each use a different billing structure, and wherein the computer-implemented method further comprises:*

providing a reconciliation of records between the resource consumption sites and the interim control points to a specific billing structure that is used by a particular electricity generating company.

4. (previously presented) *The computer-implemented method of claim 1, wherein the records from the resource consumption sites and the interim control points comprise a unique key, wherein the unique key is composed of a SystemID, an AppInstanceID, and a RefRequest, wherein the SystemID identifies a transmission system of a particular electricity provider, wherein the AppInstanceID identifies a particular feeder line used by that particular electricity provider, and wherein the AppInstanceID identifies a set of resource records used on that particular feeder line for that particular electricity provider during a specifically defined period of time.*

5. (cancelled)

6. (currently amended) *The computer-implemented method of claim 1, further comprising reconciling resource consumption records in a reconciliation session by:*

- a. logging a reconciliation session start time of a reconciliation session,*
- b. retrieving a last reconciliation session start time,*
- c. issuing a notification of a logging session status,*
- d. ending the reconciliation session if an error is discovered[[:]] and*
- e. if no errors are detected, continuing comparing records until all records are reconciled, issuing a report, and logging session status.*

7. (currently amended) *The computer-implemented method of claim 1, wherein the multiple types of electricity generation companies ~~are electricity suppliers that~~ are selected from a group that includes ~~include~~ a coal fired company, a gas fired company, a hydroelectric company, and a wind turbine company.*

8. (cancelled)

9. (cancelled)

10. (currently amended) *The computer-implemented method of claim 2, wherein the aggregate business records are chosen from ~~[[the]]~~ a group consisting of transfer records, invoices, and units of resource consumption.*

11. (currently amended) *A processor system configured and controlled for reconciling resource consumption records, said processor system being between a plurality of resource consumption sites and a resource consumption record aggregation target site, said processor system designed for incorporating resource consumption at the resource consumption record aggregation target site into aggregate business records, said processor system comprising:*

a.. a collecting and recording ~~logic~~ subsystem for collecting and recording resource consumption at resource consumption sites, wherein the resource consumption is a consumption of gaseous hydrocarbons being transferred internally ~~for refining~~ within an integrated ~~petrochemical~~ petroleum refinery;

b. an automated reconciliation subsystem for reconciling records of resource consumption between the resource consumption sites and the resource consumption record aggregation target site by:

i. retrieving records from ~~[[the]]~~ a resource consumption feeder and interim control points;

ii. comparing a ~~[[first]]~~ total number of resource consumption records forwarded from the resource consumption feeders with a ~~[[second]]~~ total

number of resource consumption records aggregated at the resource consumption record aggregation target site;

iii. issuing a notification if an error is discovered; and

iv. if no errors are detected, continuing comparing records until all records of resource consumption between the resource consumption sites and the resource consumption record aggregation target site are reconciled;[[.]]

c. a first interim system coupled to the resource consumption feeders;

d. a second interim system coupled to a set of billing systems used by multiple providers of the gaseous hydrocarbons being transferred within the integrated petroleum refinery; and

e. a firewall between the first interim system and the second interim system, wherein the firewall controls access between the resource consumption feeders and the set of billing systems used by the multiple providers.

12. (cancelled)

13. (previously presented) *The processor system of claim 11, wherein a reconciliation process comprises aggregating reconciled records of resource consumption into aggregate business records of the resource consumption at the resource consumption record aggregation target site.*

14. (currently amended) The processor system of claim 11, wherein a reconciliation process comprises aggregating the records of resource consumption into aggregate business records of the resource consumption at the resource consumption record aggregation target site, and thereafter reconciling the aggregate business records at the resource consumption record aggregation target site.

15. (cancelled)

16. (currently amended) The processor system of claim 11 wherein a reconciliation process comprises reconciling the records in a reconciliation session by:

- a. logging a reconciliation session start time of a reconciliation session,
- b. retrieving a last reconciliation session start time,
- c. issuing a notification of a logging session status,
- d. ending the reconciliation session if an error is discovered₁ and
- e. if no errors are detected, continuing comparing records until all records are reconciled, issuing a report, and logging session status.

17-19. (cancelled)

20. (currently amended) *The processor system of claim ~~[[12]]~~ 11, wherein the aggregate business records are chosen from the group consisting of transfer records, invoices, and units of resource consumption.*

21. (currently amended) *A storage medium tangibly embodying a program of machine-readable instructions, wherein when the machine-readable instructions are executed executable by a digital processing system, cause the digital processing system to reconcile records of resource consumption at a plurality of resource consumption sites for incorporation into aggregate business records of the resource consumption at a target site, by a method comprising the steps of:*

a. collecting and recording resource consumption at resource consumption sites, wherein the resource consumption is ~~asphalt~~ heavy hydrocarbon that is transferred internally ~~for processing~~ within units of an integrated petroleum refinery;

~~b. reconciling records of resource consumption between the resource consumption sites and the target site by:~~

~~[[i.]]~~ b. retrieving records from ~~[[the]]~~ a resource consumption feeder and interim control points;

~~[[ii.]]~~ c. comparing a ~~[[first]]~~ total number of resource consumption records forwarded from ~~[[the]]~~ resource consumption feeders with a ~~[[second]]~~ total number of resource consumption records aggregated at ~~[[the]]~~ a target site;

~~[[iii.]]~~ d. issuing a notification, if an error is discovered; ~~[[and]]~~

[[iv.]] e. if no errors are detected, continuing comparing records until all records from the resource consumption feeder and interim control points are reconciled; [[and]]

[[c]] f aggregating records of resource consumption of the heavy hydrocarbon into aggregate business records of the resource consumption of the heavy hydrocarbon at the target site; and

g. automatically reconciling resource consumption records for the heavy hydrocarbon at feeder sub systems, nodes, interim nodes and billing subsystems that are located between the resource consumption feeders and resource consumption sites.

22. (previously presented) The storage medium of claim 21, wherein the aggregate business records of the resource consumption at the target site comprise billing records.

23. (previously presented) The storage medium of claim 21, wherein the method comprises aggregating reconciled records of resource consumption into aggregate business records of the resource consumption at the target site.

24. (previously presented) The storage medium of claim 21, wherein the method comprises aggregating the records of resource consumption into aggregate business records of the resource consumption at the target site and thereafter reconciling the aggregated records at the target site.

25. (currently amended) *The storage medium of claim 21, wherein the method comprises reconciling ~~[[the]]~~ records of heavy hydrocarbon consumption in a reconciliation session ~~comprising by:~~*

- a. logging a reconciliation session start time of a reconciliation session,*
- b. retrieving a last reconciliation session start time,*
- c. issuing a notification of a logging session status,*
- d. ending the reconciliation session if an error is discovered~~[[:]]~~, and*
- e. if no errors are detected, continuing comparing records until all records are reconciled, issuing a report, and logging session status.*

26-29. (cancelled)

30. (currently amended) *The storage medium of claim ~~[[22]]~~ 21, wherein the aggregate business records are chosen from ~~[[the]]~~ a group consisting of transfer records, invoices, and units of resource consumption.*

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bijendra K. Shrestha whose telephone number is (571)

270-1374. The examiner can normally be reached on 8:00 AM-4:30 PM (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BKS/3691
05/06/2009

/Hani M. Kazimi/
Primary Examiner, Art Unit 3691